

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Robert Frost, Jr., #301382,)	C/A No. 5:11-2520-JFA-KDW
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
South Carolina Dept. of Correction,)	
Director Bill Byers, Levern Cohen,)	
Warden, Ms. Montouth, I.G.C.,)	
Captain Best, in their individual and)	
official capacity,)	
)	
Defendants.)	

Plaintiff, proceeding pro se, seeks relief pursuant to 42 U.S.C. § 1983. This matter is before the court on Plaintiff's Motion to Reconsider this court's order staying pending discovery filed on March 1, 2013. ECF No. 100. Defendants filed an opposition to Plaintiff's Motion on March 4, 2013. ECF No. 101. Pursuant to the provisions of Title 28, United States Code, Section 636(b)(1), and Local Rule 73.02(B)(2)(d), D.S.C., the undersigned magistrate judge is authorized to review all pretrial matters in prisoner petitions filed under 42 U.S.C. § 1983.

Plaintiff asks the court to reconsider its stay of discovery in this matter arguing that he is not able to adequately respond to Defendants' pending summary judgment motion. ECF No. 100 at 2. Plaintiff also requests that the court stay its summary judgment deadline. *Id.* The court has reviewed the pleadings and other documents filed by Plaintiff and has reconsidered Plaintiff's request for discovery. The court observes that Plaintiff's requested discovery is related to the employment status of named employees, religious issues and applicable grievances. The court finds that responses to certain of Plaintiff's discovery requests may be necessary so that Plaintiff can fully respond to Defendants' pending summary judgment motion, and may also be necessary for Plaintiff's own arguments for summary judgment. Because Defendants' Amended Motion

for Summary Judgment contains more issues than qualified immunity, the court finds that Plaintiff's request for limited discovery is appropriate; accordingly, the court adjusts its prior order, ECF No. 50. Defendants shall have 30 days from the date of this Order, April 5, 2013, to provide responses to the following discovery requests contained in ECF No. 94: Interrogatories 1-4, 6-9, 13-18, and 21-24; Requests for Production 2 and 5-7. Plaintiff shall have 60 days from the date of this Order, May 6, 2013, to file his dispositive motion and/or respond to Defendants' Amended Motion for Summary Judgment, ECF No. 88.

IT IS SO ORDERED.

March 6, 2013
Florence, South Carolina

A handwritten signature in black ink, reading "Kaymani D. West". The signature is written in a cursive, flowing style.

Kaymani D. West
United States Magistrate Judge